

# Notice of Allowability

Application No.

10/526,172

Examiner

Ha D. Ho

Applicant(s)

BIESTER, KLAUS

Art Unit

3681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed 02/09/07.
2. ☒ The allowed claim(s) is/are 1 and 3-32.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date 12/20/06
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Mr. Rose on 03/22/07.
3. During the interview, applicant agreed to amend claims 1, 3, 30 and 31 to correct the minor informalities without changing the scope of the invention, and to replace the Abstract with the following Abstract because the amended Abstract filed 02/09/07 does not meet the requirement of 37 CFR 1.121. The application has been amended as follows:

#### Abstract

The Abstract has been replaced with the following Abstract:

--A rotating regulating device for the rotation and/or linear displacement of an actuating element of a valve, throttle, blowout preventer or similar, in particular in the field of gas or oil supply, exhibits a spindle drive and a drive train rotationally driving the spindle drive, the drive train exhibiting at least one reduction gear unit and a drive device. The rotating spindle or nut of the spindle drive exhibits at least one engaging element, essentially protruding radially outwards, which engages guide slots, whereby a first guide slot is fixed relative to a device housing and a second guide slot can be rotated relative to the device housing and/or is supported for displacement in the longitudinal direction of the rotating spindle. The guide slots exhibit at least different slopes in the longitudinal direction of the rotating spindle and the movable guide slot is connected for movement to the actuating element.--

#### Claims

- Claim 1, line 13, "on" has been changed to --one--.

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- Claim 1, line 17, --the slope of-- has been inserted before “the rotatable”.
- Claim 1, line 17, “slope” (both occurrences) have been deleted.
- Claim 1, line 17, --the slope of-- has been inserted before “the fixed”.
- Claim 1, line 22, “sleeve” has been changed to --collar--.
- Claim 1, line 23, “sleeve” has been changed to --collar--.
- Claim 1, line 24, “sleeve” has been changed to --collar--.
- Claim 3, line 2, “sleeve” (both occurrences) have been changed to --collar--.
- Claim 30, line 2, “each” has been changed to --said at least one--.
- Claim 31, line 1, “a” has been changed to --the--.

4. The following is an examiner's statement of reasons for allowance: Claim 1 has been amended to overcome the prior art. Examiner agrees with Applicant's arguments regarding claim 1. The prior art of record does not disclose or render obvious a motivation to provide for a rotating regulating device for the rotation and/or linear displacement of an actuating element as defined by the limitations of claim 1; including an axially movable nut surrounding a rotating spindle, a drive train including at least one reduction gear unit for rotationally driving the spindle drive, a fixed collar fixed to the device housing and having a fixed collar guide slot, a rotating collar rotatable within the device housing by the travel of the engaging element and having a rotatable collar guide slot, at least one engaging element protruding radially from the nut and being in traveling with both guide slots, wherein the slope of the rotatable guide slot is angled with respect to the slope of the fixed guide slot in the longitudinal direction, the rotation of the

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nut is prevented by the engagement of the at least one engaging element in the fixed collar guide slot.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ha D. Ho whose telephone number is 571-272-7091. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Marmor can be reached on 571-272-7095.

7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HDH  
(571) 272-7091  
March 22, 2007

*Ha D Ho*  
**HAHO**  
**PRIMARY EXAMINER**  
Art Unit 3681 *3/22/07*